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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,456	05/24/2002	Henrik Chistiansen	PATRADE	9385

7590 05/02/2005

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EXAMINER

HINZE, LEO T

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/089,456	Applicant(s) CHRISTIANSEN, HENRIK	
	Examiner Leo T. Hinze	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-11 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-4 and 6-11 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 19 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 and 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiyoshi, JP 59-209875 A (Kiyoshi) in view of Leimand, WO 99/01282 (Leimand). References to Kiyoshi refer to the English language translation provided by the applicant.

a. Regarding claim 1:

Kiyoshi teaches a method for operating a printing unit in an offset machine in which the printing unit comprises a system used as a coating unit for coating (Fig. 7c) and as a moistening unit for applying water (Fig. 7b), wherein the system and at least one transfer roller (66, Fig. 7) interacting with the system for transferring coating or water from the system are displaced between a first position (Fig. 7b) for transferring water via a plate cylinder (6, Fig. 7) to a blanket cylinder (9, Fig. 7) and a second position (Fig. 7c) for transferring coating directly to the blanket cylinder wherein the coating and water application unit comprises transfer rollers in the form of a

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rubber roller for transferring water from the doctor blade system to the plate cylinder and one roller for transferring coating to the blanket cylinder.

Kiyoshi does not teach a doctor blade system comprising a chamber forming a coating unit or a screen roller for transferring water or coating from the system.

Leimand teaches: printing unit (1, Fig. 4) with a unit that can apply both water and lacquer (28, Fig. 4); the unit (28, Fig. 4) includes a chamber doctor blade (30, Fig. 4) and a screen roller (29, Fig. 4); a chamber doctor and screen roller are preferable to an open trough for preventing pollution of the surroundings with lacquer (p. 4, lines 20-24); it is advantageous that the lacquer application means comprises only one screen roller for transferring lacquer directly to the cylinder (p. 2, lines 25-28); that such a method and unit (28, Fig. 4) makes it possible to modify existing machines to that they are more functional and print faster (p. 2, lines 16-19); a rubber roller (32, Fig. 4) between the screen roller (29, Fig. 4) and the plate cylinder (15, Fig. 4) when using the unit (28, Fig. 4) as a dampening unit allows faster printing (p. 3, lines 30-32).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kiyoshi by replacing roller 66 with a screen roller and replacing roller 52 and 39 and trough 40 with a chamber doctor blade, because Leimand teaches that a chamber doctor blade and screen roller are advantageous for use in a unit that can provide coating or water by allowing faster printing speeds and reducing the amount of spoilage from the coating.

b. Regarding claim 2, the combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 1 above. Kiyoshi also teaches wherein the displacement is a

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pivoting about an axis in parallel with the rotational axis of the plate cylinder and the blanket cylinder (66, Fig. 6).

c. Regarding claim 3:

Kiyoshi teaches a printing unit for use in a method according to claim 1 in an offset machine, comprising means for coating (Fig. 7c) and means for applying water (Fig. 7b), and where the coating means and the water application means are constituted by a coating and water application unit comprising at least one transfer roller (66, Fig. 7) for transferring coating or water from the system, wherein the coating and water application unit is arranged movably between a first position for bringing said at least one roller in contact with a roller engaging the plate cylinder (Fig. 7b), and a second position for bringing said at least one roller in direct contact with the blanket cylinder (9, Fig. 7c) of the printing unit (Fig. 7c).

Kiyoshi does not teach a doctor blade system including a chamber.

Leimand teaches: printing unit (1, Fig. 4) with a unit that can apply both water and lacquer (28, Fig. 4); the unit (28, Fig. 4) includes a chamber doctor blade (30, Fig. 4) and a screen roller (29, Fig. 4); a chamber doctor and screen roller are preferable to an open trough for preventing pollution of the surroundings with lacquer (p. 4, lines 20-24); it is advantageous that the lacquer application means comprises only one screen roller for transferring lacquer directly to the cylinder (p. 2, lines 25-28); that such a method and unit (28, Fig. 4) makes it possible to modify existing machines to that they are more functional and print faster (p. 2, lines 16-19); a rubber roller (32, Fig. 4) between the screen roller (29, Fig. 4) and the plate cylinder (15, Fig. 4) when using the unit (28, Fig. 4) as a dampening unit allows faster printing (p. 3, lines 30-32).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kiyoshi by replacing roller 66 with a screen roller and replacing roller 52 and 39 and trough 40 with a chamber doctor blade, because Leimand teaches that a chamber doctor blade and screen roller are advantageous for use in a unit that can provide coating or water by allowing faster printing speeds and reducing the amount of spoilage from the coating.

d. Regarding claim 4, the combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 3 above, including wherein the coating and water application unit further comprises said at least one transfer roller in the shape of a screen roller transferring coating directly from the doctor blade system to the blanket cylinder. The combination of Kiyoshi and Leimand contain the screen roller of Leimand (29, Fig. 4) in place of the roller 66 of Kiyoshi (66, Fig. 7), and the roller 79 of Kiyoshi (79, Fig. 7).

e. Regarding claim 6, the combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 3 above. Kiyoshi also teaches wherein the coating and water application unit is mounted pivotably in relation to the plate cylinder and the blanket cylinder between one of the engagement positions with the plate cylinder and the blanket cylinder (see mechanism for pivoting, Fig. 6).

f. Regarding claim 7:

The combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 3 above, except wherein the coating and water application unit is provided

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with coupling means which are arranged for being connected releasably with coupling means in the frame of the offset machine.

Kiyoshi is silent as to the specific mounting of the coating and water application unit.

Leimand teaches that the coating and water application unit (29, 30, Fig. 4) can be mounted on the supports for the cleaning system using the coupling means in the frame (p. 2 line 30 through p. 3 line 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to additionally modify Kiyoshi such that the coating and water application unit is provided with coupling means which are arranged for being connected releasably with coupling means in the frame of the offset machine, because Leimand teaches that such coupling means are advantageous for easily demounting and remounting the coating and water application means as necessary.

g. Regarding claim 8:

The combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 3 above, except wherein the transfer roller is driven by its own motor.

Kiyoshi is silent as to the drive mechanism for the transfer roller.

Leimand teaches that the transfer roller (29, Fig. 4) is driven by its own motor (p. 8, lines 13-14). This allows the transfer roller to be driven independently of the plate cylinder to provide more or less dampening fluid as needed (p. 8, lines 13-17).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to additionally modify Kiyoshi wherein the transfer roller is driven by its

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own motor, because Leimand teaches that this is advantageous for providing more or less dampening fluid as needed.

h. Regarding claim 9:

The combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 3 above, except wherein the coating system and water application unit comprising the doctor blade system and the at least one roller is mounted in the offset machine in an exchangeable way with the existing moistening unit of the offset machine.

Kiyoshi is silent as to the mounting of the coating and water application unit.

Leimand teaches the at least one roller is mounted in the offset machine in an exchangeable way with the existing moistening unit of the offset machine (p. 5, lines 18-24).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to additionally modify Kiyoshi such that the coating and water application unit is provided with coupling means which are arranged for being connected releasably with coupling means in the frame of the offset machine, because Leimand teaches that such coupling means are advantageous for easily demounting and remounting the coating and water application means as necessary.

i. Regarding claim 10, the combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 7 above, including wherein said coupling means in the frame is coupling means for a cleaning unit known per se for the plate cylinder (Leimand, p. 2 line 30 through p. 3 line 4).

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j. Regarding claim 11, the combination of Kiyoshi and Leimand teaches all that is claimed as discussed in the rejection of claim 8 above, including wherein the motor is controlled by a line signal from the main machine (Leimand, p. 22, lines 5-6).

Response to Arguments

3. Applicant's arguments with respect to claims 1-4 and 6-11 filed 18 February 2005 have been fully considered but they are not persuasive.

4. In response to applicant's general arguments that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, motivation to combine the two references is provided by Leimand as discussed in the rejection of claims 1 and 3 above. Applicant's arguments do not sufficiently rebut the specific motivation for combining the references as set forth by the examiner, but are instead general allegations that there is no suggestion to combine the two references.

5. In response to applicant's argument on page 6 that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge

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gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

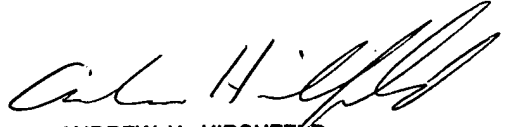
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (571) 272-2167. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leo T. Hinze
Patent Examiner
AU 2854
26 April 2005



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